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Good Morning! It's Thursday, Nov. 10, 1977

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Missouri Bar seeks to disbar Bear

By Mark R. Henderson
Missourian staff writer

The Missouri Bar Administration is seeking the disbarment of local attorney David V. Bear III on four charges of misconduct, one of which involves Bear's failure to report promptly a discussion of a bribery scheme with then-President Judge Bob Brown.

Three of the charges involve Bear's role in the 1972 conviction of Larry Randall Lee. Bear represented the victim in a robbery case. He is charged with:

— "Tampering with evidence in a

criminal case by erasing a tape of an interview" with Lee.

— "Preparing and distributing a schedule of events before preliminary hearings in the Lee case, knowing that portions were false and that Bear distributed copies of the schedules to potential witnesses to influence them to testify falsely."

— Having "obtained and showed his client a picture of Larry Lee to help her identify him, and that was impermissibly suggestive since Bear knew his client had never viewed Lee in an identification lineup, and that she had made wrong identifications of two other persons."

The other charge accuses Bear of "engaging in discussions in a scheme to bribe a public official and failing to report that discussion to the proper authorities."

That charge is in connection with discussions Bear had with Brown concerning a controversial rezoning request.

Bear was representing a Kansas City firm, J.M. Morris Co., which wanted to build an asphalt plant in the county. The Boone County Planning and Zoning Commission denied the request in April 1976. The next day Bear met with Brown, a longtime friend, in Brown's office.

According to a deposition by Bear, Brown solicited a \$10,000 bribe, supposedly to be paid to another County Court judge.

The affair came to light after Morris mentioned it to a Columbia banker. Bear later reported the discussions to Prosecuting Attorney Milt Harper, two weeks after the solicitation, only after being advised to do so by a member of the bar ethics committee.

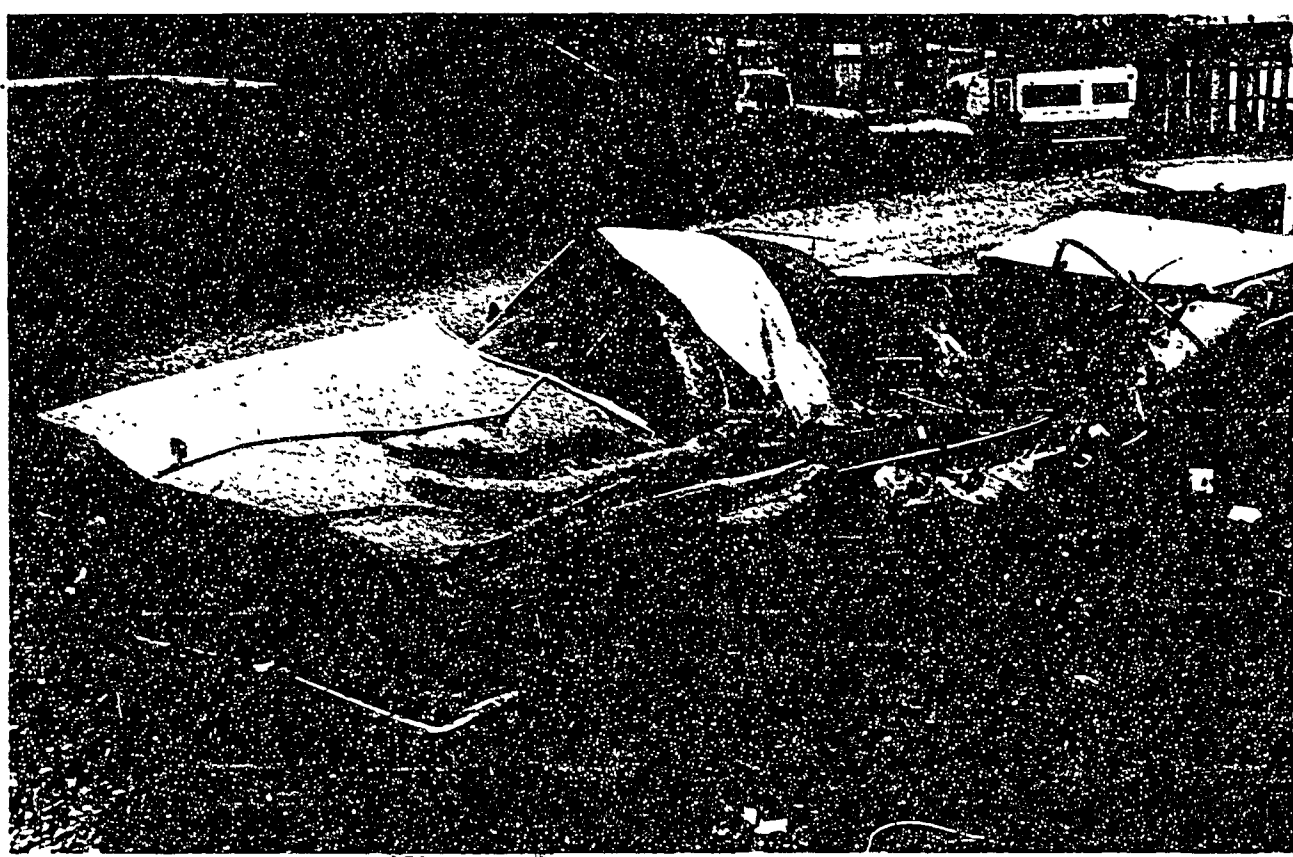
Brown was indicted, with Bear his chief accuser.

Although Brown later pleaded guilty to two misdemeanor charges, he insisted throughout that Bear had proposed the bribe. Brown, who has

since left Columbia, returned early this fall to testify before the bar committee investigating Bear.

All three of the charges against Bear in connection with the Lee case were also charges brought against him by Lee's attorney, Larry Marshall, in an unsuccessful motion to set aside the conviction. In a September ruling, Cole County Circuit Court Judge Byron Kinder did not deny that the accusations were true, but concluded that, even if true, they had no bearing on Lee's conviction.

In testimony given by Columbia (See BEAR, Page 16A)



A truck hauling 25,000 pounds (11,250 kilograms) of frozen meat ran over this Cadillac Coupe de Ville owned by Frank Cramer of St. Louis. The accident occurred late

Tuesday night along the construction area of Interstate 70 just west of the Business Loop 70 overpass. Amazingly, there were no serious injuries.

Truck crushes car; all survive

By Phil Randall
Missourian staff writer

Frank Cramer of St. Louis slowed his Cadillac Coupe de Ville late Tuesday night as he entered the construction area along Interstate 70, one-quarter mile (.4 kilometer) west of the Business Loop 70 overpass.

In his rear-view mirror he saw two large headlights bearing down on him, the light reflecting off the rain-slick pavement. Then his car was hit.

Bruce Bynum, Chesterville, was a passenger in the car. "I looked behind us and all I saw was one huge headlight shining in the rear window," he said. "Then it started up over the car and smashed in the the glass."

"I can't get the guy off the top of the car!" Cramer yelled.

"Frank," Bynum said, "I think we've had it."

The story is true, and Columbia police say they are surprised that Cramer, 39, and Bynum, 42, lived to tell it. Cramer's car was run over by a truck hauling 25,000 pounds (11,250 kilograms) of frozen meat and driven by Alan Floyd, 24, Dallas, Texas.

The truck drove over left side of the car, Bynum said, pinning it against the guardrail and sliding down the highway on top of it.

"I could hear the engine going over us," Bynum said. "It seemed to go on for ever and ever."

At the end of the guardrail the car flew off the road. Bynum said he remembers telling Cramer, "It's all over."

"Yeah," Cramer replied, "things aren't going too well."

The car came to rest in a field 50 feet (15 meters) from

(See MEN, Page 14A)

Welfare study uncovers fraud across nation

WASHINGTON (UPI) — A computer hunt for welfare cheats among federal workers has spotted 26,334 employees on relief rolls in 21 regions of the nation, HEW Secretary Joseph Califano said Wednesday.

The Health, Education and Welfare secretary said at a news conference the \$200,000 investigation — dubbed Project Match — included not only an initial probe of the District of Columbia, but also 18 states plus New York City and the Norfolk and Northern Virginia areas.

And in the future, Project Match will be broadened even further to other areas with civilian employees and will include all military personnel, Califano said.

Some of those identified by the computer are legitimate welfare recipients, Califano noted, because of low government pay and large families.

But in the case of government workers on District of Columbia welfare rolls, investigators learned that 41 percent of 216 workers were ineligible, and 32 percent were getting excessive benefits.

Califano said ineligible persons will be removed from the rolls and money reduced for the others.

He said the 26,334 civil servants pinpointed nationwide by the computer as drawing welfare benefits include 13,354 employees on the federal payroll today and 12,980 who recently left.

Califano would not compare the rate

of welfare abuse involving federal workers in Washington with other areas of the country, adding, "We are not conducting Project Match with federal employees because we think they are more fraud-prone than any other group of citizens."

"Rather, I firmly believe that our efforts to clean up the welfare rolls should begin at home."

Califano also said he is having "careful discussions" with such major firms as International Business Machine and American Telephone and Telegraph on expansion of the computer probe to private industry payrolls.

Criminal, civil or administrative penalties are possible in cases of civil servants illegally accepting welfare payments, Califano said.

The HEW secretary also said:

— The recently reported death of one woman and injuries to four others from illegal Mexican abortions after the government halted abortion subsidies is "a sad event. I do not believe this situation justifies a change in the law on federal funds for abortions."

— HEW in January will unveil a "vigorous, hard-hitting public education campaign" against cigarette smoking. It will not call for the elimination of subsidies for tobacco farmers. "It's clear to me there's nothing I can do to eliminate the tobacco subsidy... so I'm not going to tilt at that windmill."

Winter weather hits with sudden swoosh

By John Schneller and Jack Cowan
Missourian staff writers

This article is about the beginning of a winter that officially begins Dec. 21.

The season's first snow fell Wednesday, and it's the coldest morning outside since last March.

If that's not proof enough that winter has arrived, check the forecast. The temperature tonight is expected to slip to near 20 degrees F (-7 C).

"O! Man Winter wasn't on the U.S. Weather Service guest list. But he came anyway, blowing away forecasters' warnings of flooding rains for Wednesday in one howling breath."

About the time the slow-moving storm system reached Columbia, it "took off like a scared rabbit," said U.S. Weather Service forecaster Larry Blanchard, leaving this area with only a few showers and damaging wind gusts.

In a snap, it was cold.

Radar reports Wednesday night showed light snow and flurries scattered across central Missouri. No accumulation was reported anywhere in the state; the weather service here officially recorded the snow as a trace.

The official extended forecast calls for a return to Indian Summer by Monday with a high in the 60s F (16 to 21 C).

But "if you believe that, I've got some land to sell you in Florida," Blanchard said. He predicts it won't be much warmer than the 50s F (10 to 15 C) until springtime.

One of the few persons not surprised by winter's sudden arrival in Columbia was Mike Placke, an atmospheric science student at the University. While the weather service posted flash flood watches Tuesday night, Placke, tracking the storm system for a class forecasting contest, was predicting the "slight probability" of snow and a possible hard freeze with the arrival of "arctic-type air."

The weather service, on the other hand, said neither snow nor arctic air was in the weather picture — until Wednesday. By then, it was here.

The rainstorm which buffeted Columbia briefly Tuesday night wasn't so sparing elsewhere.

The fast-moving system spawned an early blizzard Wednesday, dumping more than nine inches (23 centimeters) of snow on the northern Midwest.

In town today

9 a.m. County Court meets, County Court chamber, County-City Building.

7 p.m. Columbia Planning and Zoning Commission meets, council chamber, County-City Building.

7:30 p.m. Public meeting on coal gasification, sponsored by the Mid-Missouri Council of Governments, County-City Building.

7:30 p.m. "Jabberwocky" and "Rime of the Ancient Mariner," Studio Theater, University's Gentry Hall.

7:30 p.m. "King Lear," Stephens College Playhouse.

8 p.m. Benefit fashion show for the Heart Fund, Ramada Inn, 1100 Vandiver Drive.

Exhibits
See Sunday's Vibrations magazine for complete exhibit listings.

Movie listings on Page 15A

Insight One brand of gasoline like another Companies use same pipeline

By Mike Reddin
Missourian staff writer

More than 40 years ago Consumer Reports magazine advised buying the cheapest gasoline available. That advice still stands.

There are differences between gasolines sold at different stations but in many cases the average consumer would never be able to tell, says John Hahn, executive director of the Missouri Oil Jobbers Association.

More than 90 percent of the gasoline sold on the American market is refined by the top 20 major oil companies. When a consumer drives into an independent or non-major station, he probably will be buying the same gasoline sold at the major stations.

For instance, the gasoline refined by Shell may be funneled into a pipeline beginning in Tulsa, Okla. At the same time Texaco, Phillips 66 and Mobil may be pumping their gasoline into the same pipeline.

The gasoline travels through the pipeline until it reaches a supply terminal similar to the Williams Brothers supply terminal, U.S. 63 South. Each grade of gasoline is pumped into its own holding tank. This means all the regular grade is pumped into one large tank, all the premium into another and all the unleaded into another.

A spokesman for Williams Brothers would neither confirm nor deny that all of the different grade gasolines are pumped into their own tanks. He did say that each major oil company has a set of minimum requirements for gasoline sold at its stations. He said it doesn't matter where the gasoline comes from as long as it is up to the company's standards.

So, the gasoline refined at the Shell refinery may never make it to a Shell station. That gasoline may find its way into the tanks of a Derby, U-pump, Apco or some other major or independent station.

A spot check of 24 Columbia gasoline stations shows 18 of 24 stations receive all or part of their gasoline from the Williams Brothers supply terminal. On any given day a tanker truck with Shell, MFA or Derby emblems can be seen filling up in the Williams Brothers driveway.

The price difference of a gallon of gasoline between competitors may vary as much as five cents. Why the difference if it all appears to be the same gasoline?

The Williams Brothers spokesman said virtually all the major stations blend regular grade gasoline with a small percentage of premium. Independent stations, he said, usually sell unblended regular. The only effect blending has is to raise the octane rating — it does not improve the quality of the gasoline.

Hahn says the unblended regular, fresh from the refinery, passes all state (See ADVERTISING, Page 14A)

Teasdale aide vows to use his growing authority

By Jesse W. Bunn
State capital bureau

JEFFERSON CITY — Jerry Ortbals, chief of staff for Gov. Joseph Teasdale, is a man taking names, looking for friends and enemies of the administration.

As Teasdale's staff director, Ortbals says he's the enforcer, carrying out policies dictated by the governor and cleaning house in state departments to make room for Teasdale loyalists. "He gives me direction and policy and I become the functional end," Ortbals

says.

The strong-willed, 36-year-old St. Louis attorney became the governor's chief of staff Sept. 12, drawing \$37,000 annually, only \$50 less than Teasdale earns. He says he enjoys his job, even though it often means working 15 hours a day. His power in carrying out policies has grown steadily and recently. Ortbals has been quoted in the press more often than Teasdale on such matters as patronage firings in the revenue department and the bumpy drive to have Alberta Slavin appointed to the Public Service Commission.

Wednesday, when the governor was in Sikeston for a political speech, Ortbals stopped by the Capitol press room to let reporters know he has authority and will not hesitate to use it. "Our friends are our friends, and our enemies are our enemies," he said. "And I'm taking names."

The power delegated by Teasdale is loosely defined, and Ortbals says it's a satisfactory arrangement. "We decided to let our relationship govern my authority," says Ortbals. "Power is directly related to the amount of confidence someone has in you. Earned

authority is most important to me. I've got a lot of confidence in myself. If I didn't, I'd be afraid every day."

If Ortbals' authority is proportional to the governor's faith in him, Teasdale's trust must be growing as he gives his chief of staff increasing rein. Ortbals is not shy about letting people know he intends to play a hard-nosed game of politics.

He admits the administration has made mistakes, particularly in setting deadlines for naming appointees for revenue director and the PSC. Teasdale was forced to cancel a press conference

Nov. 4 when he was to announce that Sen. Warren Welliver, D-Boone County, would sponsor Ms. Slavin for a seat on the PSC. He previously had missed self-imposed deadlines for announcing other appointments. "We're too accommodating, looking to please people and then overextending ourselves," Ortbals said. "You can't run a government by deadlines. This is a dynamic business where things change every day; they can turn 180 degrees."

He has earned the reputation of being a hatchet man with his firings in the revenue department, the only state

department not covered by the merit system. Ortbals has said such things as "We're looking for people who are loyal to the governor," and "All I can tell you is that they were dismissed because they did not fit in with the policies of this administration."

The U.S. Supreme Court ruled last year that patronage firings outside policy-making decisions were unconstitutional. In a stronger statement of intent, Ortbals once said, "I look upon every clerk typist, every elevator

(See ORTBALS, Page 16A)